

1 **GUTTILLA MURPHY ANDERSON**

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5 Attorneys for Receiver

6 IN THE UNITED STATES BANKRUPTCY COURT

7 FOR THE DISTRICT OF ARIZONA

8 In Re:

9 Yomtov Scott Menaged,

10 Debtor.

Case No. 2:16-bk-04268-PS

Chapter 7

**AMENDED RECEIVER'S NOTICE OF
BANKRUPTCY RULE 2004
EXAMINATION AND PRODUCTION OF
DOCUMENTS OF YOMTOV SCOTT
MENAGED**

14 PLEASE TAKE NOTICE that, Peter S. Davis, the court-appointed Receiver in *Arizona*
15 *Corporation Commission v. DenSco Investment Corporation*, CV2016-014142 filed in the
16 Maricopa County Superior Court for the State of Arizona ("Receiver"), has scheduled a
17 Bankruptcy Rule 2004 examination of Yomtov Scott Menaged for Thursday, September 22, 2016
18 at 10:00 a.m. at the offices of Guttilla Murphy Anderson, attorneys for Trustee, at 5415 E. High
19 St., Ste. 200, Phoenix, Arizona 85054. The examination shall be under oath and recorded
20 electronically. Yomtov Scott Menaged shall also produce the documents set forth on Exhibit "A"
21 at least ten (10) business days prior to the examination. Pursuant to an order of the Court, dated
22 August 24, 2016, compliance is mandatory.

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1 Dated this 26th day of August, 2016.

2 GUTTILLA MURPHY ANDERSON

3 /s/ Ryan W. Anderson

4 Ryan W. Anderson

Attorneys for the Receiver

5 Copy of the foregoing mailed
6 on August 26, 2016, to:

7 Honorable Lori Bustamante
8 Central Court Building
9 201 West Jefferson
10 Phoenix, Arizona 85003

11 Wendy L. Coy
12 Arizona Corporation Commission
13 1300 West Washington
14 Phoenix, AZ 85007-2929
15 Attorney(s) for Plaintiff

16 James F. Polese
17 Christopher L. Hering
18 Gammage & Burnham, P.L.C.
19 Two North Central Avenue
20 15th Floor
21 Phoenix, AZ 85004
22 Attorney(s) for Estate of Denny Chittick, Deceased
23 And DenSco Investment Corporation

24 Peter S. Davis, Receiver
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Phoenix, Arizona 85012

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Lakshmi Jagannath
Kristin McDonald
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1770 Fourth Avenue

- 1 San Diego, CA 92101-2607
Attorneys for Deutsche Bank National Trust
- 2 Company, as Trustee for Argent Securities Inc.,
Asset-Backed Pass-Through Certificates, Series
- 3 2004-W-1, its assignees and/or successors, by and
through its servicing agent Ocwen Loan Servicing, LLC
- 4
- 5 Ocwen Loan Servicing, LLC
Attention: Bankruptcy
P.O. Box 24605
- 6 West Palm Beach, FL 33416-4605
- 7
- 8 McCarthy & Holthus LLP
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San Diego, CA 92101-2607
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- 10 Timothy H. Barnes
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- 11 Attorneys for Redi Carpet, LLC
- 12
- 13 Jennifer A. Giaimo
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- 15 James E. Shively
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- 17 Attorney for BMW Financial Services, NA, LLC
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- 19 Dale C. Schian
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- 21 Attorneys for Debtor
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- 23 Cynthia L. Johnson
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11640 East Caron Street
Scottsdale, AZ 85259
- 24
- 25 Attorney for Secured Creditor
Sell Wholesale Funding, LLC

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aka Azben Limited, LLC

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Attorneys for Shawna C. Heuer, personal
representative of the Estate of Denny J. Chittick

Daimler Trust
c/o BK Servicing, LLC
P.O. Box 131265
Roseville, MN 55113-0011

/s/ M. Kay Lucas
2359-001 (256000)

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EXHIBIT "A"

DOCUMENTS TO BE PRODUCED:

1. Copies of the Debtor’s individual federal tax returns for the 2014 and 2015 tax years, with all schedules;
2. Copies of account statements for a period of two-years preceding the Petition Date for any and all deposit accounts held by Debtor or his spouse;
3. Copies of operating agreements, and federal tax returns for the 2014 and 2015 tax years with all schedules, for any and all entities in which Debtor held an ownership interest, including, but not limited to:
 - A. American Furniture, LLC;
 - B. Arizona Home Foreclosures, LLC;
 - C. Auto King, LLC;
 - D. Beneficial Finance, LLC;
 - E. Divine Design Home Interiors, LLC;
 - F. Easy Investments, LLC;
 - G. Furniture & Electronic King, LLC;
 - H. Furniture Kind, LLC; and
 - I. Scott’s Fine Furniture, LLC
4. Copies of any and all financial statements, including balance sheets, profit and loss statements, and income statements, for the three-years preceding the Petition Date for any and all entities in which Debtor held an ownership interest including, but not limited to, the entities listed in request number 3, *supra*;
5. Complete list of all property, assets, or other interests held by any and all entities in which Debtor, or Debtor and his spouse, held an ownership interest as of the Petition Date including, but not limited to, the entities listed in request number 3, *supra*, with estimated values of each item;
6. A detailed accounting of any and all loans, or other monies, received by Debtor, or Debtor and his spouse, or any entities in which Debtor held an ownership interest including, but not limited to, the entities listed in request number 3, *supra*, during the five years immediately preceding the Petition Date from DenSco Investment Corporation (“DenSco”) or Denny J. Chittick;
7. A copy of all written correspondence of any kind, including emails and texts, from Debtor to Denny J. Chittick discussing, or related in any way to, DenSco or the transfer of funds from DenSco to Debtor, or to Debtor and his spouse within the last 5 years immediately preceding the Petition Date;
8. A copy of all written correspondence of any kind, including emails and texts from Denny Chittick to Debtor discussing, or related in any way to, DenSco, Inc. or the transfer of funds

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from DenSco to Debtor, or to Debtor and his spouse within the last 5 years immediately preceding the Petition Date;

- 9. A copy of all written agreements between DenSco and Debtor, or any entities in which Debtor held an ownership interest including, but not limited to, the entities listed in request number 3, *supra*;
- 10. A copy of all written agreements between Denny J. Chittick and Debtor, or Debtor and his spouse, or any entities in which Debtor held an ownership interest including, but not limited to, the entities listed in request number 3, *supra*.